IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 25807 of 2003

Between:

1. M. Narasoji Rao, S/o Chowdoji Rao,
   Chalakur FSCS Ltd., Chalakur,
   Somandepalli Mandal, Anantapur District
2. M. Musala Reddy, S/o Venkata Reddy,
   Chalakur FSCS Ltd., Chalakur,
   Somandepalli Mandal, Anantapur District
3. B. Prabhakar, S/o Hanumayya,
   Chalakur FSCS Ltd., Chalakur,
   Somandepalli Mandal, Anantapur District
4. A. Ramakrishna Reddy, S/o A. Lakshmi Reddy,
   Chalakur FSCS Ltd., Chalakur,
   Somandepalli Mandal, Anantapur District
5. L. Ramakrishnappa, S/o L. Mallappa,
   Chalakur FSCS Ltd., Chalakur,
   Somandepalli Mandal, Anantapur District

..... PETITIONERS

AND

1. The Government of A.P. Rep. by its Secretary,
   Cooperative Department, Secretariat, Hyderabad
2. The Commissioner & Registrar of Cooperative Societies, Andhra

Pradesh, Hyderabad
3. The District Cooperative Officer, Ananthapur District, Ananthapur.
4. The Divisional Cooperative Officer, Hindupur, Ananthapur District.
5. The Asst. General Manager, State Bank of India, Region-V,

Zonal Office, Tirupati.
6. The Branch Manager, State Bank of India ADB,

Hindupur, Anantapur District.
7. The Managing Director, Chalakur F.S.C.S. Ltd., Chalakur,

Somandepalli Mandal, Anantapur District
8. The Person Incharge/Chairman, Chalakur FSCS Ltd., Chalakur,

Somandepalli Mandal, Anantapur District
9. The Sub Divisional Cooperative Officer, Penukonda,

Anantapur District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying the regular pay scales to the petitioners attached to their respective posts basing on the Circular in R.C.No. 9098/2000-S2, dated 18-12-2002 as illegal, without jurisdiction and contrary to law, further direct the respondents to pay the regular pay scales to the petitioners, while continuing the petitioners in service as usual.

Counsel for the Petitioner: MR.E.MARUTHI RAJA

Counsel for the Respondents R1 to 4 and 9: GP FOR COOPERATION

Counsel for the Respondent Nos.7 and 8: MR.M.NARENDER REDDY

Counsel for the Respondent Nos.5 and 6: MR.K.SRINIVASAMURTHY

The Court made the following:

O R D E R :

-

The petitioners question the instructions issued by the second respondent-Commissioner and Registrar of Cooperative Societies Act in R.C.No.9098/2000-S2, dated 18.12.2002 for fixing the staffing pattern by the second respondent.

2. I have already upheld the said orders, which are in conformity with the mandatory provisions of Section 116-C of the A.P. Co-operative Societies Act, 1964, and Rules 28(4)(b) and 36(B) of the A.P. Cooperative Societies Act 7 of 1964 Rules in W.P.No.3171 of 2003 and Batch dated 30.8.2004.

3. Following the aforesaid judgment, the Writ Petition is dismissed. There shall be no order as to costs.

_____

V. ESWARAIAH, J

Dated:04-11-2004.

ccm

To

1. The Secretary,The Government of A.P.
   Cooperative Department, Secretariat, Hyderabad
2. The Commissioner & Registrar of Cooperative Societies, Andhra

Pradesh, Hyderabad
3. The District Cooperative Officer, Ananthapur District, Ananthapur.
4. The Divisional Cooperative Officer, Hindupur, Ananthapur District.
5. The Asst. General Manager, State Bank of India, Region-V,

Zonal Office, Tirupati.
6. The Branch Manager, State Bank of India ADB,

Hindupur, Anantapur District.
7. The Managing Director, Chalakur F.S.C.S. Ltd., Chalakur,

Somandepalli Mandal, Anantapur District
8. The Person Incharge/Chairman, Chalakur FSCS Ltd., Chalakur,

Somandepalli Mandal, Anantapur District
9. The Sub Divisional Cooperative Officer, Penukonda,

Anantapur District

10. 2 CC to G.P. for Cooperation, High Court Buildings, Hyderabad (OUT)

11. 2 CD copies.